

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re: § CASE NO. 00-CV-00005
§ (Settlement Facility Matters)
DOW CORNING CORPORATION, §
§ Honorable Denise Page Hood
Reorganized Debtor §

**AGREED ORDER WITHDRAWING MOTIONS TO
ALLOW LATE PROOFS OF CLAIM AND CONFIRMING
MOVANTS' STATUS AS TIMELY NOTICE OF INTENT CLAIMANTS**

In October and November 2005, each of the following persons ("Movants") filed a "Motion to be Deemed Eligible Under Class 5 of the Dow Plan" (the "Motions"): Nancy Davis (dkt. 236), Kathleen Wright (dkt. 241), and Valerie Brockman (dkt. 254). In the Motions, the Movants sought status as Class 5 claimants under the Amended Joint Plan of Reorganization to the same extent as any Class 5 claimant who had timely filed an Implant Proof of Claim in the Dow Corning bankruptcy case. Counsel for Dow Corning and counsel for the Movants have discussed the merits of the Motions and have agreed to their resolution as set forth below, and the Claimants' Advisory Committee concurs in such resolution.

Based on the parties' agreement, as evidenced by their signatures below, it is hereby ORDERED as follows:

1. The Motions are hereby withdrawn with prejudice and the Movants shall not have the status as claimants who timely filed an Implant Proof of Claim.

2. However, each of the Movants has timely filed a Notice of Intent.¹ Each Movant shall be a Settling Personal Injury Claimant and shall be eligible to participate in the Settlement Facility-Dow Corning Trust ("SF-DCT") (a) if the Movant matches to a Rule

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The Movants' Notice of Intent records are identified as follows: Valerie Brockman—N0001546;

3005 claim filed in her individual name or (b) to the extent the parties agree to, and/or the Court orders, a resolution of the pending Motion of Dow Corning Corporation to Establish Procedure to Assist the Claims Administrator to Identify and Match Notices of Intent to Rule 3005 Claims in Accordance with Amended Joint Plan.

3. Each Movant's Notice of Intent shall be considered by the SF-DCT in accordance with the procedures applicable to all other timely Notices of Intent under the Plan, the Plan Documents, and all relevant Court orders.

Dated: April 13, 2006

/s/ DENISE PAGE HOOD
Denise Page Hood
United States District Judge

AGREED:

NELIGAN FOLEY LLP

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

By: /s/ David Ellerbe
David Ellerbe
1700 Pacific Avenue, Suite 2600
Dallas, Texas 75201
214-8420-5300
214-840-5301 fax

By: /s/ Deborah E. Greenspan
Deborah E. Greenspan
2101 L Street, N.W.
Washington, DC 20037-1526
202-861-9100
202-887-0689 fax

ATTORNEYS FOR DOW CORNING
AND
CORPORATION

DEBTOR'S REPRESENTATIVE

COUNSEL FOR DOW CORNING
CORPORATION

LAW OFFICES OF STEPHEN M. FRAILICH
COMMITTEE

CLAIMANTS'

ADVISORY

By: /s/ Stephen M. Frailich
STEPHEN M. FRAILICH
California State Bar #091652
22287 Mulholland Hwy-PMB 409
Calabasas, CA 91302-5157
818-223-9064
818-223-9062 fax

By: /s/ Dianna L. Pendleton-Dominguez
Dianna L. Pendleton-Dominguez
P.O. Box 665
St. Marys, Ohio 45885
419-394-0717
419-394-1748 (fax)

ATTORNEYS FOR NANCY DAVIS,
KATHLEEN WRIGHT, AND VALERIE BROCKMAN